



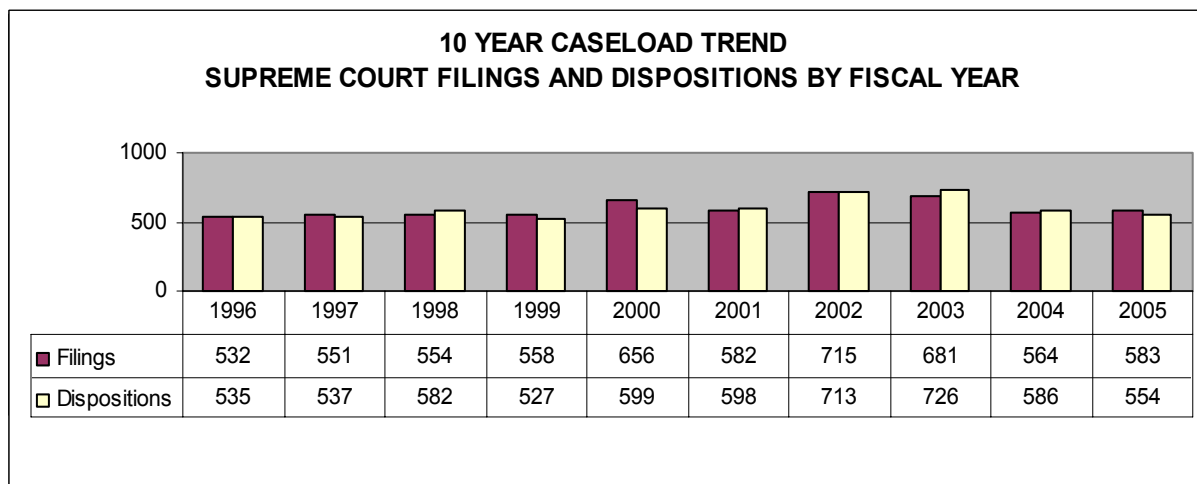
SUPREME COURT

In Fiscal Year 2005, the Delaware Supreme Court received 583 appeals and disposed of 554 appeals by opinion, order or dismissal. On average, the appeals were decided within 40.5 days from the date of submission to the date of final decision which is a decrease of 18.2 days from the previous fiscal year. In 90.25% of appeals decided in FY2005, the Court met the standard of the Delaware Judiciary for deciding cases within 90 days of the date of submission for decision which is an improvement over the 82.5% compliance rate from the previous fiscal year.

In May, 2005, the Court began exploring the feasibility of using the LexisNexis electronic filing system in an appellate court. Under the leadership of Justice Ridgely as the Chair of the Supreme Court's E-Filing Committee, appropriate implementing rules as well as an implementation plan were developed.

While not occurring in the past fiscal year, it should be noted that effective October 24, 2005, the Delaware Supreme Court became the first appellate court in the nation to require electronic filing of appeal documents using the LexisNexis e-filing system.

During the past fiscal year, 3,220 Delaware lawyers filed Annual Registration Statements pursuant to Supreme Court Rule 69. The Court amended the Statement to reduce the annual assessments paid by each active Delaware lawyer to support the Arms of the Supreme Court. The reductions ranged from \$80 to \$105 per active lawyer depending on registration category. Furthermore, the assessment funding was reallocated to provide additional funding to the Lawyers' Fund for Client Protection to replenish the Fund which had approved many meri-



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torious claims for payment during the past year. At the same time, the Court reduced the assessments for the Office of Disciplinary Counsel and the Commission on Continuing Legal Education. To offset the reduced assessment funding, the Court directed, under Administrative Directive 158, that *pro hac vice* assessments paid by non-Delaware lawyers be designated to fund, in part, the Office of Disciplinary Counsel, the Commission on Continuing Legal Education, and the Lawyers Fund for Client Protection. Administrative Directive No. 158 rescinded Administrative Directive Nos. 129 and 145 which previously governed the distribution of *pro hac vice* funding through grants authorized by the Court.

Patricia W. Griffin, Esquire, became the new State Court Administrator in the Administrative Office of the Courts on February 7, 2005. She previously served as the Chief Magistrate of the Justice of the Peace Courts with great distinction. As Chief Magistrate, her efforts were largely responsible for the recent expansion of the number of Justices of the Peace in Sussex County and for the establishment of a nationally honored truancy court program. The Court believes that her extensive administrative background will enable her to harness the potential of the Administrative Office of the Court as a provider of services and expertise to all Delaware courts.



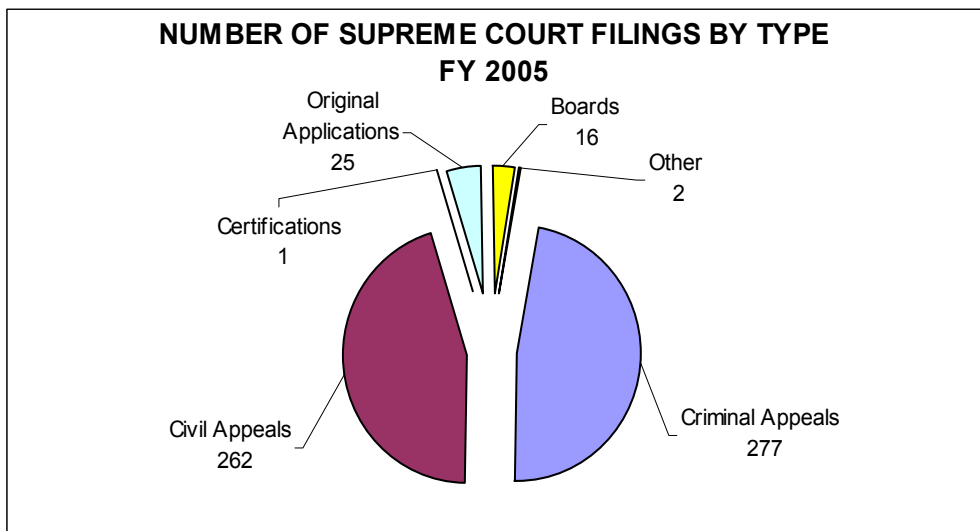
Legal Authorization

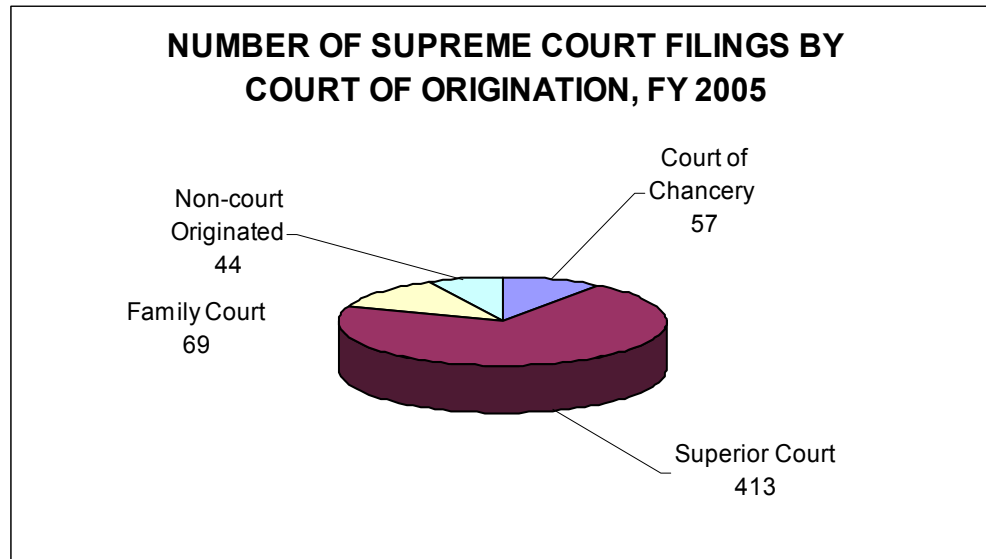
The Supreme Court is created by the Constitution of Delaware, Article IV, Section 1. The Supreme Court sits in Dover but the justices maintain their chambers in the counties where they reside.

Court History

The modern Supreme Court was established in 1951 by constitutional amendment. The State's first separate Supreme Court initially consisted of three justices and was enlarged to the current five justices in 1978.

Prior to 1951, Delaware was without a separate Supreme Court. The highest appellate authority prior to the creation of a separate Supreme Court consisted of those judges who did not participate in the original litigation in the lower courts. These judges would hear the appeal *en banc* (collectively) and would exercise final jurisdiction in all matters in both law and equity.

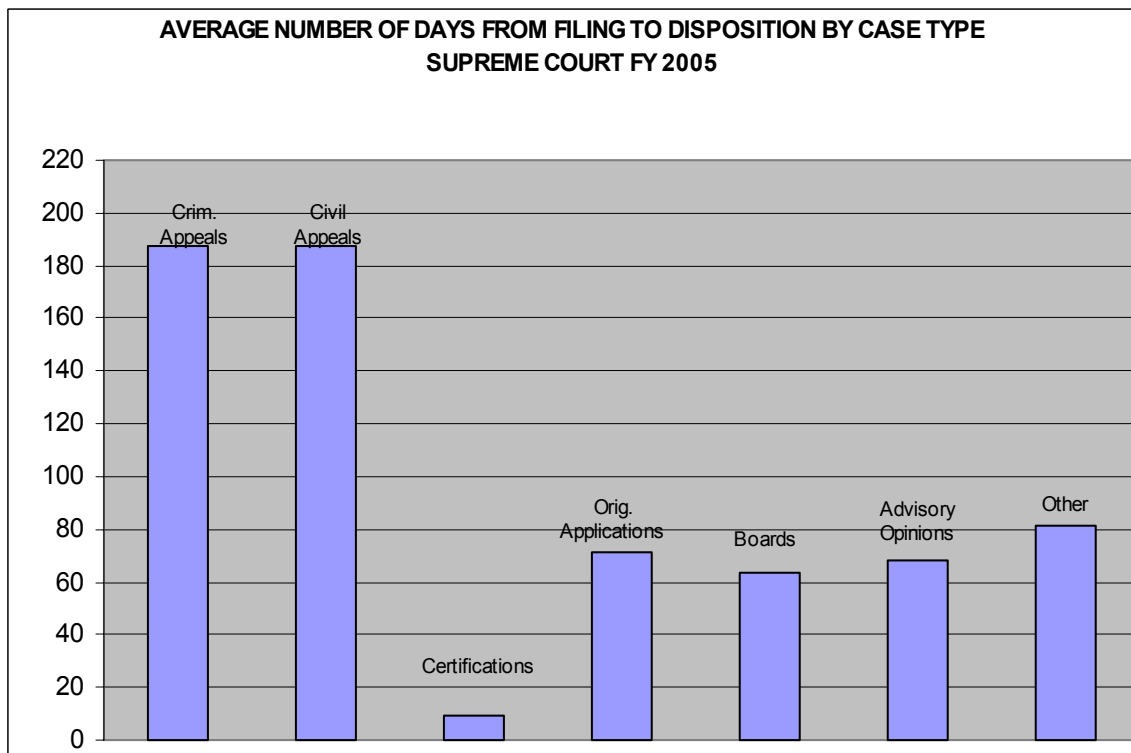




Jurisdiction

The Court has final appellate jurisdiction in criminal cases in which the sentence exceeds certain minimums and in civil cases as to final judgments and for certain other orders of the Court of Chancery, the Superior Court, and

the Family Court. Appeals are heard on the record. Under some circumstances, the Supreme Court has jurisdiction to issue writs of prohibition, *quo warranto*, *certiorari*, and *mandamus*.



SUPREME COURT

Justices

The Supreme Court consists of a chief justice and four justices who are nominated by the Governor and confirmed by the Senate. The justices are appointed for 12-year terms and must be learned in the law and citizens of the State. The Court may have no more than a majority of one justice from any political party.

Administration

The chief justice is responsible for the administration of all courts in the State and appoints a state court administrator to manage the non-judicial aspects of court administration. The Supreme Court is staffed by a clerk of the court, staff attorneys, an assistant clerk, law clerks, secretaries, and court clerks.



Supreme Court Justices:

Front Row (sitting left to right)

Justice Randy J. Holland
Chief Justice Myron T. Steele
Justice Carolyn Berger

Back Row (standing left to right)

Justice Henry duPont Ridgely
Justice Jack B. Jacobs